9-22-1986

The Advocate, September 22, 1986

The Advocate

THE STUDENT NEWSPAPER OF THE NATIONAL LAW CENTER
THE GEORGE WASHINGTON UNIVERSITY

Vol. 17, No. 3 Monday, September 22, 1986

First Year Curriculum Changes: Operative by '87?

by Sally Weinbrom

George Washington Law Center first year curriculum will take on a new look next year for the fall entering class when required courses increase by 6 credit hours for all students entering under the 1987 handbook.

Like hundreds of past students, current first year students are required to take 4 credit hours of criminal law, 6 credit hours of contracts, 4 credit hours of torts, 4 credit hours of civil procedure, 4 credits of property, and 4 credit hours of constitutional law. Within the past two years the law center has also required students to take two credit hours of legal research and moot court. Beyond that change the curriculum has remained the same for the last decade.

In April of last year, the faculty voted overwhelmingly to institute different course requirements for the 1987 entering class.

Under the new structure first years will still take 4 credit hours of torts and two hours of legal research, however all other aspects will change. Though contracts will still be a six hour course, the material will be broken into 3 credit hours in the first semester and three credit hours in the second. Criminal law hours increase from 4 to 3 hours of criminal substantive law and 3 hours of criminal procedure. Constitutional law hours will also increase from 4 to 6 when the course is taught over two semesters. The first semester will focus on federal law and the second semester will discuss individual rights and liberties.

Perhaps the largest change is the movement of civil procedure from second semester first year to first semester.

According to Professor David Sharpe, chairman of the scholarship committee which was responsible for the proposal eventually adopted, civil procedure as currently taught did not accomplish the objectives of the course. Similarly, consititutional law was overloaded with too much material in too little time. Criminal law, on the other hand, attempted to teach two courses under the same title.

The new system will require second year students to take not only evidence and professional responsibility, but the second part of the Constitutional law course and criminal procedure course, eliminating 6 hours of electives.

Professor Sharpe does not view the changes as an adoption of a new generalist philosophy verses specialization theory of legal education but as a pendulum swinging back toward more required courses to better prepare lawyers for their advanced legal education.

"The present first year curriculum was not so much a science but a matter of politics," he said. "Twenty years ago the strongest got the biggest piece of curriculum."

The current system he claims will be more in the main stream of other law schools.

Professor Elyce Zenoff views the changes as the

GO TO PAGE 6, COL. 4

Enrichment Series Slates Speaker Schedule

by Terry Jennings

NLC students will have the opportunity to hear learned scholars, judges, and legal personalities discuss diverse legal topics as part of the 1986-1987 Enrichment Program. This year, guest speakers will address a wide range of topics such as international law, law and economics, and legal problems in third world countries.

Professor Teresa Schwartz created the Enrichment Program in 1981, to bring a wide spectrum of legal ideas and viewpoints into the realm of the NLC. "Each speaker has made major contributions to the law," explains Professor Schwartz. "They have much to offer the students both intellectually and personally."

During the summer, Professor Schwartz invites these noted individuals to participate in the program. The guests appreciate the flexibility of the lectures, and may choose any time in the academic year to visit the NLC and give their presentations. The presentations are informal

GO TO PAGE 4, COL. 1

1986-1987 Program

September 23, 1986 4:15 p.m.	A.E. Dick Howard, Professor of Law, University of Virginia
October 22, 1986 8:00 p.m.	Sandra Day O'Connor, Justice, U.S. Supreme Court
October 28, 1986 4:15 p.m.	Norman Dorsen, President of the ACLU and Professor of Law, New York University
November 11, 1986 4:15 p.m.	Frank H. Easterbrook, Judge, U.S. Court of Appeals for the Seventh Circuit
November 21, 1986 4:30 p.m.	Bill Bradley, U.S. Senator*
January 22, 1987	Guido Calabresi, Dean, Yale Law School
February 1987 (date t.b.a.)	Jeanne J. Kirkpatrick, former Ambassador to the United Nations
February 19, 1987 4:15 p.m.	Robert R. Merhige, Jr., Judge, U.S. District Court, Eastern District of Virginia
March 3, 1987 4:15 p.m.	Aubrey E. Robinson, Jr., Chief Judge, U.S. District Court for the District of Columbia
March 9, 1986 4:15 p.m.	Joel Seligman, Professor, George Washington University Law School; currently visiting Professor, University of Michigan Law School**

*Senator Bradley will give the Manuel F. Cohen Memorial Lecture

**Professor Seligman is the 1987 Manuel F. Cohen Visiting Scholar

Special Law Review Issue to Focus on D.C. Circuit

by Tom McMorrow

Members of the George Washington Law Review are currently working on a new publication that will review the work of the federal Court of Appeals for the District of Columbia. Although the D.C. Circuit is widely considered to be the second most powerful court in the nation, its activities have never been annually reviewed by any single publication. However, that will change in the spring of 1987 when the first edition of what is planned to be an annual issue will be released.

Lainie Simon, Projects Editor for the Law Review, is spearheading work on the new edition. It is "an all-inclusive integration of significant D.C. Circuit activity," she said. "We anticipate making a national contribution, especially in the fields of regulatory law."

The D.C. Circuit deals mainly with regulatory matters, and the federal government is frequently a party to the cases it hears. The court's decisions often have national ramifications. Given the nature and scope of the

LAINIE SIMON

Circuit's work, the new edition will attract a national audience. The edition is therefore being targeted for widespread readership among practitioners, judicial clerks, and other courts.

Joe Yenouskas, a Law Review editor and night student at the NLC, came up with the idea for the special edition. During his

GO TO PAGE 7, COL. 3

The Advocate

The Student Newspaper of the
National Law Center

EDITORIALS

Retraction?

In the last edition of the Advocate, a headline appeared above a submission from Professor David Robinson. The headline, drafted by an editor of the Advocate and approved by the editorial board of the Advocate, replaced a headline Professor Robinson had placed on the response.

The headline that appeared in the paper was run for two reasons. First, we felt that the headline drafted by Professor Robinson would not spark enough reader interest in the piece; thus, something a little more exciting was needed. Second, we believed, rightly or wrongly, that our headline accurately described Professor Robinson's position. While he never expressly stated that he opposed gay rights, we believed that it was a fair conclusion to be drawn from his position. If homosexuals are legally denied the right to engage in the very sexual conduct that defines them as homosexual, it is *moot* to consider what other rights they should be accorded. The second premise was the subject of some debate among the editors in deciding to run the headline, and has been challenged by Professor Robinson and other faculty members.

We note that it is customary in the newspaper industry for the editors to write headlines containing personal pronouns. A survey of three recent Sunday editions of the Washington Post revealed six different editorial headlines containing personal pronouns. Only one was lifted from the text. The rest summarized the position or conclusion espoused in the article. None of those were proposed by the authors.

That the choice made met with opposition is unfortunate, and the Advocate editorial board regrets that an opinion not his own may have been attributed to Professor Robinson. However, charges that the decision was "unprofessional" or "distorted" are not merited; the editorial board thoughtfully and carefully considered the piece and the title.

Such consideration serves a newspaper well. While it assures that an editorial board normally will make good editorial decisions, it does not guarantee that. Thus, more careful consideration of all pieces, headlines, and editorial changes must continue at the Advocate. Without a doubt, our decisions frequently will meet with opposition, but it is hoped that when they do, the parties involved will act with restraint and respect in their charges.

Kenneth W. Brothers
Editor in Chief
Nadine Hyman
Scott Ives
Elizabeth MacGregor
Celia Ockey
Editors
Lisa Barry
Advertising
Liam Sweeney
Photographer

The Advocate is published bi-weekly by the students of the National Law Center at George Washington University. Its offices are located on the third floor of Burns Library, 716 20th Street, N.W., Washington, D.C., 20052. The views expressed herein do not necessarily reflect the views of the editorial board, the National Law Center or George Washington University. The Advocate will consider for publication all articles, letters, cartoons or opinion pieces submitted. All text should be typed and signed.

Publication Dates: Fall Semester 1986

All submissions must be recieve by the preceeding Thursday

Monday, August 25
Monday, September 8
Monday, September 22
Monday, October 6
Monday, October 20
Monday, November 3
Monday, November 17
Monday, December 1 (tentative)

A Return to Constitutional Consistency

The Supreme Court is coming back.

With William H. Rehnquist confirmed as the sixteenth Chief Justice, our nation's top court has returned to pay homage to the words of James Madison: "The courts must declare the sense of the law; and if they should be disposed to exercise WILL instead of JUDGMENT, the consequence would be the substitution of their pleasure to that of the legislative body."

The founding fathers created our federal government to respond to the definitive needs of our republic. The charter we call the Constitution was never intended to supplant the separate states. Yet a series of Supreme Court decisions dating from the Depression have threatened the autonomy of the people to govern themselves through their state governments.

Ipse Dixit

by Ken Bothers

A democratic form of government is based on the power of the people. The Greeks, to whom we attribute the concept and praise by modeling our buildings after their temples, believed that the ideal "demokratia" consisted of regular gatherings of the townspeople. Because our population and economy makes such a government unwieldy, we subscribe to a republican form of government, electing representatives to voice the will of the people. A fundamental premise of a republican system is that the more representatives there are per capita, the closer that government is to the hearts and minds of the people.

Today, the interests of each citizen are represented by a triad of governments: local, state, and federal. Each government has a proper scope of authority. Ideally, there should be minimal jurisdictional overlapping.

The majority of traditional government functions, include such services as trash collection, police and fire protection and development planning, properly belongs at the local level. Those governments, being closest to the people, should be allowed to implement the interests of the electorate without interference.

State government hold powers inherent to an independent political jurisdiction. Each may declare laws and pronounce public policy, limited only by the express provisions in their own, as well as the federal Constitution.

The last, and what should be the least intrusive, is the federal government. Created primarily to promote defense and regulate interstate commerce, our national government was indeed the product of federalism: a compact between the states to allocate enumerated powers to a central government while retaining all unenumerated residuary powers.

The tenth amendment was added to emphasize this point: "The powers not delegated to the United States by this Constitution, nor prohibited to it by the States, are reserved to the States respectively, or to the people." A federal government, with its courts then, lacks the right to assert jurisdiction into whatever matter it pleases, but is instead a partner with the states in administering the will of the people.

But in 1941 the Supreme Court dismissed the tenth amendment as a "truism." Freed from its constitutional bonds, the Court usurped in the next generation nearly every state and local right, from abortions to zoning reserved to them in the constitutional text.

Today, our law schools no longer emphasize the original concepts of federalism. Most lawyers and students would be hard pressed to provide a historically accurate definition of the term. Instead, we are taught an onerous concept within the national government lies a right to every wrong.

I fear a powerful national government. From Chile to China, South Africa to the Soviet Union, I see the oppressive effects of a government that is distanced from the people. Because we value effective citizen participation more than the efficiency that a single, central government, we need to allow the states and the people to retain those powers and rights not enumerated in the Constitution. We need the Supreme Court led by a man unafraid to declare that the federal government has no right to stick its nose into every facet of life.

With Chief Justice Rehnquist at its head, the Supreme Court will be able to forcefully renounce its unprecedented emphasis of stealing state powers. We can look forward to a return of those rights wrongfully usurped by justices lacking constitutional consistency.

Ronnie and the Press

by Peter Most

I'll admit that as a history major, I spent an inane amount of time in college trying to ascertain the day the Roman Empire began its decline. Political scientists, on the other hand, spent their time tracing the rise of our great Republic and discussing its own inevitable fall. Political scientists liked to joke that one day Gerald Ford's rise to the presidency may be seen as the end of our Republic. I disagree. I submit that our democracy began its decline not with an acting president; it came with an actor as president.

I apologize if that caustic statement offends you. It is included to highlight what I consider to be a serious threat to democracy. There is, as we lawyers-to-be are so apt to say, a democratic principle that has been wantonly disregarded, and perhaps the time has come to be caustic.

There are certain rights intrinsic to democracies, not least of which is the right to an open government. We are a nation with open courts, open town meetings, and an open Congress. These are privileges derived from our Constitution; they are there in black and white, as well as in ample amounts between the lines. But there is more to open governments than is construed in that limited sense. As Aristotle noted, a democracy requires an open and unhindered exchange of views between the governed and government.

We have had during the "modern presidency" an executive branch that has gone to great lengths to be accessible to the people. I use as my measure of accessibility the frequency of press conferences held by former presidents. Simply stated, I'm disturbed that our present leader has neglected the hallowed practice of meeting with the press, and fear that it portends a change in our system of government.

Ronald Reagan has held far fewer press conferences than any of his recent predecessors, an oversight which demands a remedy. I'm irked by the implications -- has our President forgotten that he is accountable to his constituents? We need the press conference as a forum so we, the people, may have an opportunity to explore the policies that directly affect us. We need to discuss President Reagan's civil rights position, or lack thereof. We need to discuss outlandish military appropriations in a country that is now the First World's largest debtor nation.

While the Constitution does not specifically mention press conferences, it is evident that the framers intended the president to be of the people, not above them. I understand a rather bitter war was fought some time ago to remove the monarchial trappings from government. True, the questions rarely excite us, and the answers generally bore us, but we need press conferences in our system to maintain the exchange of views that our founders felt vital to our existence.

The formal presidential press conference is a modern invention. On March 15, 1913, Woodrow Wilson ushered in a new era in the relationship between the president and populace when he held the first press conference. But if we are to credit Wilson with the invention, then we must credit FDR with the reinvention. He held over three hundred press conferences during his tenure, which makes Reagan's fifty-odd appearances pale in comparison.

The public has a need to be informed, and John Kennedy recognized that need. Admirably, every Friday afternoon he would meet the press in an open forum, giving him a chance to present his policies and the press a chance to scrutinize them. Johnson also held press conferences, in which he would do constructive things like show off his appendix scar, or assure the

GO TO PAGE 7, COL. 3

Letters

To The Editor:

We strongly believe in the importance of student newspapers, and we have found the Advocate to be a valuable resource in monitoring student concerns and the life of this school. But we are outraged at your mishandling of a recent reply authored by Professor David Robinson.

It seems obvious that newspaper editors cannot simply ascribe opinions -- especially controversial ones -- to anyone. To rewrite Professor Robinson's title so as to place him in opposition to gay rights is exactly that, and it is, in our view, a distortion of editorial discretion. Your provocative title, "Why I Oppose Gay Rights," certainly had nothing to do with the substance of Professor Robinson's article, which we took to be a description of the public health rationale for his position in the Hardwick case. Although we disagree with his conclusion, we have no difficulty distinguishing his argument from the more sweeping hostility to gay rights expressed in your title. We would expect lawyers and journalists to avoid inaccurate characterizations of opinions they evidently oppose. In the long run, it is the newspaper's integrity which suffers, just as it is the client who suffers from an advocate's careless recharacterization of his adversary's position.

Those of us who may once have had an interest in contributing to the Advocate will hesitate now for fear that the opinions expressed there will not pass your apparent test of political correctness. Will opinions we do not hold be ascribed to us? Will this letter now appear under the headline "Liberal Professors Oppose Journalistic Independence"?

Difficult as it may be, there is only one way to regain some measure of credibility. The Advocate should publish a front-page correction, retraction, and apology to Professor Robinson. It is the professional response to an act of unprofessionalism.

Sincerely,

Ralph G. Steinhardt
Associate Professor of Law

C. Thomas Dienes
Professor of Law

Cheryl D. Block
Associate Professor of Law

Clarification

The Advocate wishes to make clear that the headline "Why I Oppose Gay Rights" for Professor Robinson's article, as with all headlines, was the creation of the Advocate editors. We regret if any of our readers attributed authorship of the headline to Professor Robinson, or concluded from the basis of the headline that Professor Robinson is opposed to all homosexual rights. We also regret any inconvenience the headline may have caused Professor Robinson.

Speakers

FROM PAGE 1

lectures on topics chosen by the speakers, followed by question and answer periods where faculty and students ask the experts about points of law.

One annual feature of the Enrichment Program is the Manuel F. Cohen Memorial Lecture. This single lecture in the Enrichment Program series is separately funded and is dedicated to the late Manny Cohen, a professor at the NLC for over twenty years, a leader in the securities law field, and a former Chairman of the SEC. This year the memorial lecture will be given to the NLC and the friends and colleagues of Mr. Cohen by Senator Bill Bradley.

The 1986-1987 Enrichment Program begins September 23, at 4:15 p.m., with the lecture by A. E. Dick Howard, a professor at the University of Virginia, and a specialist in the field of constitutional law. Professor Howard will address the topic of the Rehnquist Court.

Starting Salaries on the Increase

by Mike Glass

Newspapers and law journals have recently been reporting drastic pay increases for beginning associates in major law firms across the country. Much of this attention has focused on Cravath, Swaine & Moore, the New York law firm that in April of this year, raised its starting salary from $52,000 to $65,000 a year. In New York, 23 of the city's 25 firms have followed Cravath's lead, setting starting salaries for this year's crop of starting associates at $65,000 or more. Cravath's $12,000 pay increase is having a ripple effect on the pay scales of the nation's largest law firms.

An article in the Washington Post, dated August 24, 1986, quoted starting salary figures from a National Law Journal survey of the 250 largest law firms in the United States. According to the survey, the average starting salary is $50,000 in Boston, up 26.7 percent from $39,700 a year ago; $50,193 in Los Angeles, up 20.4 percent from $41,692; $49,286 in Chicago, up 23.7 percent from $39,883; $48,889 in San Francisco, up 26.3 percent from $38,714; and $48,071 in Cleveland, up 16.7 percent from $41,200. The pay increase in Washington has not been as dramatic, up to $46,857 from $41,125 last year, an increase of 13.9 percent.

The Post suggested, however, that a local domino effect may be starting similar to the one that occurred in New York. Shortly after Cravath announced its pay increase, Arnold and Porter, Washington's second largest firm, announced that it would be upping the ante to $46,000. In June, Akin, Gump, Strauss, Hauer & Feld, another large D.C. firm, announced that it would match the $46,000 starting salary of Arnold & Porter. In July, Hogan & Hartson, the District's third largest firm, followed suit.

Some six weeks ago, Covington & Burling, Washington's largest firm, disclosed a pay increase of $8,000, raising its starting salary from $42,000 to $50,000. A week later, Steptoe & Johnson, D.C.'s fourth largest firm, stated that it would match this figure. In response to Covington's recent salary hike to $50,000, each of the three Washington firms just mentioned concedes that it will have to "at least rethink its salary scale," according to the Post.

Jeanette P. Shady, Director of the NLC's Career Development Office, states that increasing salary trends in major law firms across the country is not a new phenomenon. Salaries have been increasing steadily for about the past 8 years at a rate of about $2-3000 per year. However, the $8-12,000 increase is a sudden and drastic departure from the norm, hence the extensive media coverage.

What has induced firms to impose such sudden and drastic increases? Ms. Shady states, "if there were one word that I would [use to describe] the salary war, that word would be 'competition'." Firms are competing, not only among themselves for top talent, but also with other professions.

On August 10, 1986, the New York Times Sunday Magazine ran a cover story entitled, "Leaving the Law for Wall Street: The Faster Track." The article, as the title indicates, identified a developing trend of lawyers and graduating law students from the top law schools opting for Wall Street (financial) positions rather than law careers.

Ms. Shady commented, "we are seeing more and more law students interested in a greater variety of potential employment situations. We do not necessarily see the person coming into law school now, who is only thinking in terms of, 'I want to work in private practice.' Because students are interested in other employment opportunities, "the level of competition is high among a broader range of employers."

Many people are wondering if or when starting salaries will level off. Ms. Shady believes "that the tell-tale sign will be 2-3 years from now when we can look back and see what has happened; how the recruiting process has been influenced." Issues that remain to be resolved include whether the pay increases will be effective in bringing top talent; whether the high salaries will be adequate incentive for people to stay with the firm; and whether the increases in pay are instrumental to the achievement of the large firms' needs and goals.

SBA Announces 1L Elections

The SBA has announced plans for the election of first year representatives. Each section will elect one representative to serve on the SBA and represent their section in SBA affairs.

Candidates will be required to register with the SBA from Tuesday, September 23 through Tuesday, September 30. Candidates may complete registration by picking up rules and signing up at the SBA office. The campaign period will extend from Wednesday, October 1 through Tuesday, October 7 with elections for section representatives on Wednesday, October 8.

Candidates are permitted to post five signs in the buildings, which may be placed on bulletin boards or doors. No signs will be permitted on painted surfaces in the buildings, and all signs must be taken down after the election. Handouts in class will be permitted. Total campaign expenditures must not exceed $15.00, and all candidates must submit receipts for their supplies.

Candidates may make speeches before their sections with permission of the professor. Each section will elect one representative, and candidates will be placed on the ballot in a randomly selected order. The candidate with a simple plurality will win.

Anyone interested in running may check with the SBA office.

The Reasonable Man: Why Women in Law School Disappear

by Terry Maniker

In a negligence action, the balancing test for weighing the burden against the risk is an abstract one. Because, as Prosser explains, neither a jury nor a potential defendant can be expected to use it to evaluate conduct in most instances, the negligence issue is usually restated as: "Would a 'reasonable man' of ordinary prudence, in the position of the defendant, have conducted himself as the defendant did?" This is the objective standard. So says Restatement Second, Section 291. So says Prosser. So regurgitates St. Emanuel. So teaches the Professor.

Our law school first year classes are nearly 50% female. Our society even more so. Yet our standard in the Reasonable Man. Not the Reasonable Person. Not the Reasonable Citizen. Men and women of equal talent enter law school but, as the Harvard Dean pointed out in Betty Friedan's New York Times Magazine, article (Feb. 28, 1983, at 56), "for some reason, [female students] don't do as well when they get here." This article is the result of weekly noontime meetings of several female law students and what they observed in class. Each looked closely at the phrase "the Reasonable Man" to ascertain if, indeed, male gender usage impacted on the efficacy of women as law students. The results are astounding. Do our professors see classrooms filled with Reasonable Men?

The biggest potential problem with exclusive male gender usage is its impact on the inherent "power of suggestion." Do our professors, after exclusively using the male gender, begin to apply that standard to women in the same position? Indeed, would a reasonable woman react the same way in the situation as the reasonable man, given the differences in not only physical strengths and weaknesses, but cultural background? Would the professor remember to caution the students as to the differences?

In the over 200 hypothetical situations that Professor Banzhaf describes every year in his first year Torts class, women, on the average, are referred to twice. The references are (usually) directly connected to biology, e.g., a pregnant woman as rights apply to the fetus. In addition, Professor Banzhaf's responses to correct answers are markedly different depending on the sex of the person responding. His praise is more effusive to males for correct answers. Has Professor Banzhaf become a casualty of the Reasonable Man?

Many books, and classes, begin with the disclaimer that use of the word "he" includes all females as well. But it is apparent that the exclusive use of the word "he" and "him" and "his" slowly begin to crowd out the "her" and "she" until, as in Banzhaf's case, not only is the word excluded for convenience sake, but the person is as well.

The inherent danger in perpetuating the Reasonable Man standard is the resulting **GO TO PAGE 8, COL. 1**

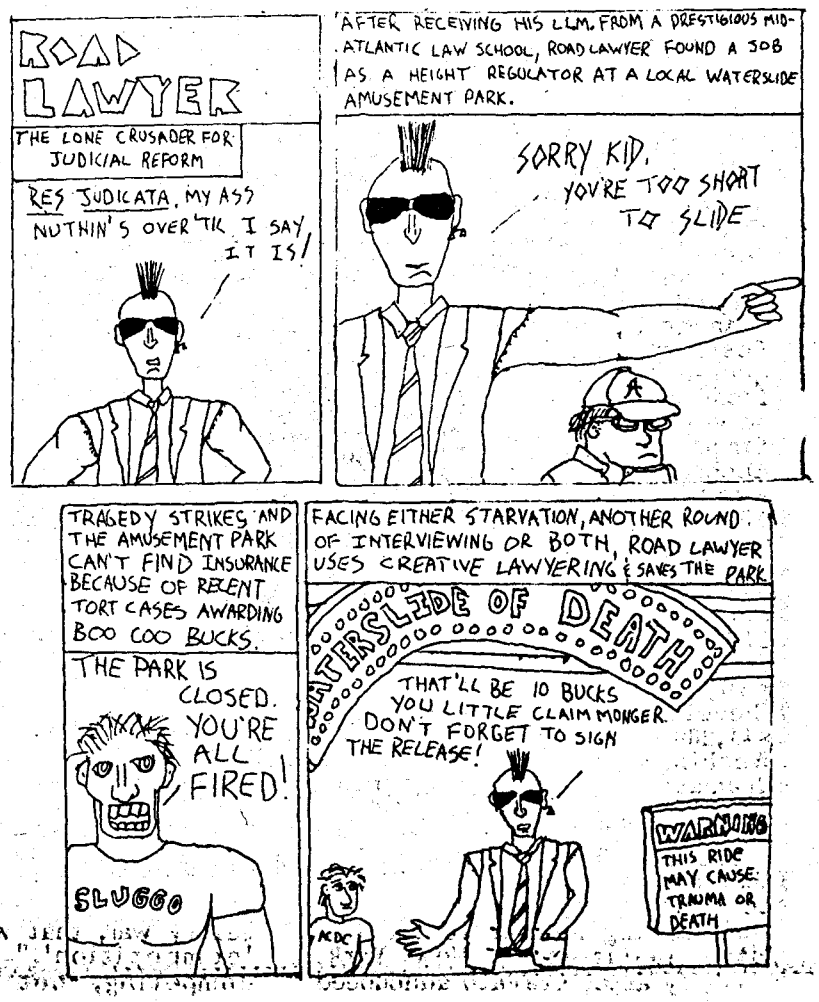
What Exactly are they Doing in the Quad?

by John Greschler

We asked some people what they thought was happening to the Quad. These are some of the responses we recieved:

1. A historical simulation of a dust bowl
2. A confused yellow brick road
3. Strip mining operation
4. The new Marvin Center mud wrestling arena
5. A tort waiting to be happened
6. A new MX basing plan
7. Testing the effects of heavy construction on award winning rose bushes
8. A breach of contract waiting to be happened
9. A prevention measure for recreational sports on campus
10. An experiment in symmetrical paving
11. An attempt to cut out the middle man between a grass covered field and a large mud pit
12. A breach of fiduciary duty no longer waiting
13. An excuse to fence in the lawyers
14. A project for beautification of the campus through defoliation
15. A schematic of the CDO interviewing process

Send your answers to John, care of the Advocate. We reserve the right to edit for taste and length. Oh, yes, and we also reserve the right to choose a headline that unfairly characterizes your response.



CPRS: Publishing in the Clinics

by Scott Ives

Most law students are familiar with two of the NLC's journals, the Law Review and the Journal of International and Economic Law, few however are aware of the existence of a third journal, the Consumer Protection Reporting Service. The Consumer Protection Reporting Service (CPRS) was founded in 1973 by University of California law professor David Carrol and by NLC Professor Donald Rothschild. Rothschild stated that the service was created because "at that time, there were no materials available concerning consumer law."

In order to fill this void, Rothschild and Carrol met in Boston (where Carrol was currently teaching) and co-authored a textbook on consumer law. "But after we had completed the textbook," Rothschild explained, "we became aware that there was also no information available to document the book, so we decided to create a reporting service as well." The format of the CPRS was originally modeled after a treatise on the Uniform Commercial Code published by former dean of the University of New Mexico Law School, Fred Hart and by New Mexico law professor, Bill Willier.

The purpose of CPRS, according to Rothschild, is to provide its users with an overview of consumer law in the federal, state and private sectors. The exact emphasis of the reporting service may vary according to changing social concerns. "Six years ago, the federal sector was more heavily weighed," Rothschild stated. "Today, however, more emphasis is placed on the individual states." Rothschild added that, besides documenting current developments in consumer law, CPRS also functions "to give more students Law Review and Law Journal type experience."

CPRS Editor-in-Chief Susan Smith agrees that the reporting service provides law students with a unique opportunity to gain journal experience. "Working on CPRS," Smith explained, "entails and helps develop such skills as researching, shepardizing, blue booking, spading and writing responsibly."

Smith detailed that articles written for CPRS generally follow Law Review and Law Journal format with two principal differences. The first difference is that Law Review and Law Journal note articles normally involve two years of work. CPRS articles are usually completed in one semester. The second difference is that authors of Law Review and Law Journal articles are expected to take a position on their topic. By contrast, authors of CPRS articles present issues impartially, refraining from any editorial comment.

Positions on CPRS are not limited to those of writers. Other CPRS positions include articles editors, production editors and managing editors. "Articles editors," Smith explains, "are responsible for working directly with the writers in close, supervisory relationships." Besides providing guidance for the writers, articles editors may also re-write older articles which were previously not deemed ready for publication.

"Production editors," Smith continued, "have the task of making sure that all articles are properly cite checked, spaded, and blue booked." Besides insuring the accuracy of the articles, production editors, like the articles editors, may also chose to update old articles.

The responsibility of the managerial editors, according to Smith, "is to oversee the operation of CPRS in its entirety." In accomplishing this task, the CPRS managing editors must be in constant communication with fellow students and faculty members, as well as the reporting service's publisher.

Smith believes that the rewards which the CPRS offers students are substantial. She first noted that the program offered an alternative to the traditional classroom method of receiving credit. All CPRS writers and editors may elect between receiving one or two credits. Writers, articles editors and managerial editors all receive grades. Production editor positions are pass/fail.

A second advantage to working on the CPRS is the possibility of being published. "Even if an article is not ready for publication at the end of the semester," Smith explained, "a student has the opportunity to complete it the following semester."

The principal reason why a student should work on the CPRS however, Smith maintains, is for the experience. "Most students will not have the opportunity to work on Law Review or the Journal during law school," she stated. "CPRS provides an alternative, and gives these students the opportunity to gain the knowledge and skills which journal experience has to offer."

1L Courses

FROM PAGE 1

culmination of a five year program.

Five years ago, she said, when the faculty reviewed the curriculum, changes were proposed and put on hold until the new building could be completed. Now that the school is in a new facility and new chairs have been endowed, the final phase of the law school revision will take place when the new curriculum is implimented next fall.

As Zenoff has commented, the pieces are in place but the implimentation may still be at issue. Dean Edward Potts believes the additional credit hours will be an administrative nightmare.

"Somebody has got to teach all those things," he said.

Dean Barron believes the implimentation, though difficult, will be possible for next fall though he cautions that with 6-7 visiting professors this year and several on sabbatical until the spring it is difficult to accurately state now who will teach what.

"We haven't enough experience in forecasting the future," Dean Barron said. "I'm hoping it will work out."

Counseling Center Programs Scheduled

During the next few weeks, The George Washington University Counseling Center will be conducting its sign-ups for the Personal Development Series. The Center, located at 718 21st St., N.W., Building N, is offering a variety of groups and workshops to benefit the people of the GW community. Since all sessions are free of charge and limited in space, it will be necessary to register early, without priority being give to full- and part-time students. Staff, faculty, and alumni, however, are also welcome to sign up on a space available basis. All registration will take place between 9 a.m. and 5 p.m. Monday-Friday at the Center, or by calling 676-6550, provided the deadline of three days prior to the beginning of the individual class is met.

This semester, the Center staff has put together an extensive series that is designed not only to teach students useful skills, but also to help them learn more about themselves. This will be done through a developmental focus, in contrast to the therapy groups regularly offered at the Center. Whether it be through the "Procrastination Prevention Program" or "skills for Successful Dating," students will be exposed to new and interesting ways to deal successfully with their goals. In the same way, "Acquaintance Rape" and "Exploring Your Image" will put students "in touch" with their feelings, thereby enabling them to function more effectively in their surroundings.

Reagan (cont'd)

FROM PAGE 3

public that the U.S. was winning the "engagement" in Vietnam--he had Westmoreland's figures to prove it. Even President Nixon held press conferences. Sure he lied, but at least he showed up. And Presidents Ford and Carter -- well, let's try to forget Ford and Carter. Maybe press conferences shouldn't be glorified as particularly enlightening, but there is a lot to be said for the presidents who at least come.

Given the opportunity, there are a few questions I'd like to ask the President myself. If he calls the MX missile the "peacekeeper," what would he call a sledgehammer -- a finger massage, I suppose. And if he perceives El Salvador as a "neighborhood watch," then what was Vietnam -- a block party? And is he really dedicated to arms control, or does he think arms control means handcuffs on Nancy?

An open government, accountable to the people, was the paramount ideal of our founders, an ideal which is now being shamefully ignored. Clearly, it is requisite that the lines of communication between president and populace need to be kept open. President Reagan, what do you have to say for yourself?

Law Review (cont'd)

FROM PAGE 1

work at the Solicitor General's Office, Mr. Yenouskas came across annual reviews of many state courts and the other circuit courts, but he found nothing comprehensive on the D.C. Circuit. In late July he approached Mary Ann Werner, Editor-in-Chief of the Law Review, with the idea for the new edition. The editors at the Law Review decided the idea should be pursued. "We have a great deal of resources invested in this project and we look forward to it becoming an annual issue of significant importance to the legal community," said Ms. Werner.

Since July the job of expediting work on the edition has fallen into the hands of Ms. Simon. She is working with twelve Law Review staff members whose notes will cover work the Court produced from September 1985 through August 1986. With the publication coming out during the school year, those writers will be published as second year students, a highly unusual and extraordinary opportunity. However, each contributor will have earned that honor by working about 30 hours a week on the publication. Those 30 hours do not include the regular 10 hour commitment each staff member makes to the review, nor does it include other school work.

Many NLC professors upon learning of the edition have offered help to the review staff and Ms. Simon credits Professor Peter Raven-Hansen as being "extremely helpful" in the development of the project. Dean Barron is described as being "very pleased" and "excited" by the idea.

Ms. Simon believes the attention given the publication may "help the NLC and the Law Review assume a more prominent position among the nation's top law schools." She added that the concept for the new edition has been well received, and is supported by former Chief Judge of the D.C. Circuit, Spottswood Robinson III. Judge Robinson will write the introduction to the first edition.

The Reasonable Man (cont'd)

FROM PAGE 5

tendency to forget that 50% of the class are, indeed, Reasonable Women. Professor Robinson expressed sympathy for rapists in his first year Criminal Procedure class. "It's sad that they can't control their sexual urges," he said. When queried by a student who felt it was unreasonable to classify rape as a sex crime as opposed to one of violence, Robinson dismissed the comment with a joke doubting the physical authenticity of a female if she doesn't enjoy "it". Class ended with another pronounced casualty of the Reasonable Man mentality.

The Reasonable Man standard, and exclusive use of the male gender in hypotheticals and other legal standards, carry over to the way professors view the students, who they choose to call on in class, how they respond to the student once called upon to recite. For the past two years, Professor Seidelson has called on men an average of fourteen times out of the seventeen that both men and women raised their hands. Was class participation an element of grading? No. But the confidence building nature of the correctly tendered answer bantered in the classroom, according to the classic studies (Kanner, et al), suggest marked differences in grading scores at term's end. The proximate cause between the Reasonable Man mentality and the harm caused by it is difficult to ascertain. Sociologists, however, claim it exists.

In addition to the hypotheticals and legal standards exclusively employing male gender, clients, judges and lawyers are almost always referred to as "he." In a 1984 article by Zenoff and Lorio in the Arizona Law Review, the authors posit that "the psychological damage from this pervasive male domination may well result in depressed performance." In 1981, 12.4% of the Harvard Law Review staff were women. That year over 30% of the students were female. More men receive clerkship positions, study for their LLM degrees and become law professors. Women are overrepresented in public interest law.

The question remains the same: if women and men are entering law school with identical credentials, what is happening in the classroom to cause depressed performance on the part of women? We encounter the Reasonable Man and begin to superimpose him on our hypotheticals and our other standards. We sit with him in class and use him as our role model for clients, lawyers judges. He is the one who gets called on in class and then receives the praise for the correct answer. The Harvard study shows that the Reasonable Man mentality exists in some of our nation's best schools. The career statistics quoted show that the mentality has filtered into the legal profession as a whole. Our own informal two year study shows that the Reasonable Man mentality is being perpetuated in our own school.

Like the structure of the DNA molecule, the beauty of the solution is its simplicity. The Zenoff article stresses the need for male professors to use the initially awkward "he or she" when referring to the generic person; include women in hypotheticals and women as clients, lawyers, and judges when using examples or telling stories. Put the Reasonable Man to rest and recognize the other half of the populace. Have a mental checklist of reactions to students based on gender. Recognize, as in the case of the Harvard dean, that the male and female students entering this school do so on equal academic footing. If the students raising their hands in class are consistently male, it could be because of subtle signals the professor is sending out.

The professors cited in this article are not rarities; to the converse, they were simply monitored by conscientious students. Let us enter the twentieth century with an important first step: retire the Reasonable Man.